IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10527 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DIPESH VASANTLAL MEHTA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 10527 of 2002

MR UTPAL M PANCHAL for Petitioner No. 1

RULE SERVED for Respondent No. 1

RULE NOT RECD BACK for Respondent No. 2

MR RC KODEKAR, AGP for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE R.P.DHOLAKIA

Date of decision: 27/09/2004

ORAL JUDGEMENT

In this matter, rule was issued as early as on

18-10-2002. However, rule issued qua the respondent No.2 was not received back till date and, therefore, office has place this matter in the office objection board. However, learned counsel for the petitioner is not present even in the second round. Therefore, I have verified the order which has annexed with this petition as Annexure-A at page 22 which shows that the order of detention has been passed by the Commissioner of Police, Surat City, on 8-9-2002. The index attached with the petition shows "actual date of detention-8/9/2002". This means that the detenu has been detained by the Commissioner of Police, Surat City, on 8-9-2002 which is the date of passing the impugned detention order. Today it is 27-9-2004 and since admittedly the detention period is of one year, this matter has become infructuous. Hence, this petition stands disposed of as having become infructuous. Rule is discharged.

(R.P.DHOLAKIA,J.)

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